

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

V.

Criminal No. 04-50042-002

DANNY TROY McCARTHY

DEFENDANT

O R D E R

Now on this 19th day of August 2005, comes on for consideration the report and recommendation filed herein on August 4, 2005, by the Honorable Beverly Stites Jones, United States Magistrate Judge for the Western District of Arkansas. (Doc. 50.) No objections to the report and recommendation have been filed.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, defendant is deemed competent to proceed to trial and a scheduling order will be issued setting this case for trial.

IT IS SO ORDERED.

/S/JIMM LARRY HENDREN
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE